

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA ) Case No. 1:14-mj-269  
 )  
 )  
vs. )  
 )  
 )  
CLINTON FRY ) JUDGE CARTER

## MEMORANDUM AND ORDER

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the preliminary hearing and detention hearing were held in this action on October 14, 2014. Those present included:

- (1) An Asst. U.S. Attorney (AUSA) for the Government.
- (2) The defendant.
- (3) Attorney Garth Best for defendant.

Upon being sworn the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

The defendant acknowledged he had received a copy of the Criminal Complaint. It was determined he was capable of being able to read and understand these proceedings.

The AUSA moved the court the defendant be detained without bail.

## Detention Hearing and Preliminary Hearing - Proof

The AUSA called FBI Agent Micah Childers as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint.

## Findings

Having heard and considered the testimony of the Agent Childers during the detention hearing and preliminary hearing and the Affidavit/Complaint, the undersigned finds:

(1) There is probable cause to believe that there have been violations of 21 U.S.C. § 841(a)(1) and (b)(1)(C), and 846, possession with the intent to distribute LSD and conspiracy to distribute LSD, committed in the Eastern District of Tennessee.

- (2) There is probable cause to believe the defendant committed the aforesaid offenses.
- (3) The proof the defendant committed the aforesaid offenses is strong.
- (4) There are no conditions nor are there any combinations of conditions which will reasonably assure the safety of the community.

Conclusions

It is ORDERED:

- (1) The defendant is held to answer the charges against him in the District Court.
- (2) The AUSA's motion to detain the defendant without bail is GRANTED for reasons set out in the separate ORDER OF DETENTION PENDING TRIAL filed with this order.
- (3) The defendant's next appearance shall be before a U.S. Magistrate Judge at **10:00 a.m. on Monday, November 10, 2014.**

ENTER.

*s/William B. Mitchell Carter*  
UNITED STATES MAGISTRATE JUDGE